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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

Complete if Known

Application Number	10/782,163
Filing Date	Feb. 19, 2004
First Named Inventor	Brian M. Sager
Examiner Name	Ling X. Xu
Art Unit	1775
Attorney Docket No.	NSL-024

METHOD OF PAYMENT (check all that apply)☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____☐ Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Small Entity	
	Fee (\$)	Fee (\$)
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
_____ - 20 or HP = _____	x _____	= _____		_____		
HP = highest number of total claims paid for, if greater than 20						
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)			
_____ - 3 or HP = _____	x _____	= _____				
HP = highest number of independent claims paid for, if greater than 3						

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: 105 Fee (37 CFR 1.17(p))

Fees Paid (\$)

\$180

SUBMITTED BY

Signature	<i>Joshua D. Isenberg</i>	Registration No. (Attorney/Agent)	41088	Telephone (510) 896-8328
Name (Print/Type)	Joshua D. Isenberg			Date June 17, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Express Mail Label # ED 849006513 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/782,163
Filed: February 19, 2004
Title: DEVICE BASED ON COATED NANOPOROUS STRUCTURE
Applicant: Brian M. Sager
Examiner: Ling X. Xu
Art Unit 1775

**ADDITIONAL STATEMENT REGARDING INFORMATION DISCLOSURE
STATEMENT**

Commissioner of Patents and Trademarks
Washington, DC 20231

Dear Sir:

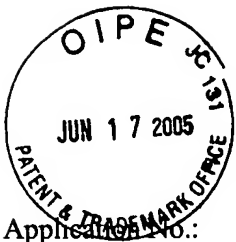
The attached Information Disclosure Statement includes a reference that is not in the English language.

One of these references, German Offenlegungsschrift DE2741954 to Hertel is in German. The Applicants have provided herewith a copy of the English language abstract. The Applicants submit that the significance of this reference, if any, may be determined from the abstract.

Date:

Very respectfully,

Joshua D. Isenberg,
Patent Attorney, Reg. No. 41,088
JDI PATENT
204 Castro Lane
Fremont, CA 94539



In the United States Patent and Trademark Office

Application No.:
Filed:
Title:
Applicant:
Examiner:
Art Unit

10/782,163
February 19, 2004
DEVICE BASED ON COATED NANOPOROUS STRUCTURE
Brian M. Sager
Ling X. Xu
1775

Express Mail Label # ED 849006513 US

Mailed 6/17/05
Fremont, CA

Information Disclosure Statement

Commissioner of Patents and Trademarks
Washington, District of Columbia 20231

Dear Sir or Madam:

Attached is a completed Form PTO-1449 and copies of the pertinent parts of the references cited thereon.

It is requested that the document(s) on the enclosed form be made of record. As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

It is requested that the document(s) on the enclosed form be made of record.

Part I (Authority)

This statement is filed pursuant to:

() 37 C.F.R. § 1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of the national applications; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; (3) before the mailing date of a first office action on the merits; or (4) before the mailing of a first Office action after the filing of a request for continued examination under § 1.114, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

(X) 37 C.F.R. § 1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. § 1.113 or (2) a notice of allowance under 37 C.F.R. § 1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) (\$180), or a certification according to 37 C.F.R. § 1.97(e).

() 37 C.F.R. § 1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. § 1.97(c).

Accordingly, this information disclosure statement requires the petition fee specified in 37 C.F.R. § 1.17(p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) (\$180) and a certification according to 37 C.F.R. § 1.97(e).

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Conditional Petition

It is respectfully requested that this information disclosure statement be considered, good cause being presented in Part III herein (certification). Please treat this paper as the required petition.

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. § 1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record.

To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

Part II (Payment)

Payment by () check or (X) credit card (PTO-2038) is enclosed as indicated:

- () No fee is due.
- (X) The fee specified in 37 C.F.R. § 1.17(p) for submission of an information disclosure statement under 37 C.F.R. § 1.97(c) is enclosed (\$180).
- () The petition fee specified in 37 C.F.R. § 1.17(p) to consider an information disclosure statement under 37 C.F.R. § 1.97(d) is enclosed (\$180).

Part III (Certification)

Pursuant to 37 C.F.R. § 1.97(e), I certify:

- (X) No certification is necessary.
- ()
 - (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.
 - () The "communication from a foreign patent office" referred to in the certification is an International Search Report, possibly issued by the U.S. Patent and Trademark Office in its capacity as an International Search Authority or International Preliminary Examining Authority.
 - () The "counterpart foreign application" referred to in the certification corresponds to an ancestor or descendent application of the application for which this information disclosure statement is filed.
- ()
 - (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of the statement.

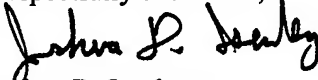
Part IV (Additional Statement)

An additional statement regarding these items of information (X) is, () is not, enclosed.

- (X) Copies of the cited art reference(s) K-T is (are) enclosed,
- () Copies of the cited art references ___ are of record in parent application Serial No. _____ and will be provided if the Examiner deems it convenient.
- (X) Copies of the cited art references A-J are not required under 37 CFR 1.98(a)(2)(i) because they are U.S. Patents and/or U.S. Patent Publications.

Dated: June 17, 2005

Respectfully submitted,



Joshua D. Isenberg
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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE				ATTY. DOCKET NO. NSL-024		SERIAL NO. 10/782,163	
LIST OF PRIOR ART CITED BY APPLICANT (Use several sheets if necessary)				APPLICANT Brian M. Sager			
				FILING DATE February 19, 2004		GROUP 2826	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A	5,571,612	11/12/1996	Motohiro et al.	428	323	
	B	6,291,763	9/18/2001	Nakamura et al.	136	256	
	C	6,852,920	2/8/2005	Sager et al.	136	263	12/11/2002
	D	20020192441	12/19/2002	Kalkan et al.	428	323	
	E	20030226498	12/11/2003	Alivisatos et al.	117	84	
	F	20040084080	5/6/2004	Sager et al.	136	263	11/5/2002
	G	20040118448	6/24/2004	Scher et al.	136	252	
	H	20040250848	12/16/2004	Sager et al.	136	263	12/11/2002
	I	20050121068	6/9/2005	Sager et al.	136	263	5/21/2003
	J	20040219730	11/4/2004	Bulent M. Basol	438	200	5/19/2004
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES NO
	K	DE 2741954	3/29/1979	Germany	H01L31	068B	
OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)							
	L	P. Van Der Voort et al, "A New Templated Ordered Structure with Combined Micro- and Mesopores and Internal Silica Nanocapsules, <i>J. Phys. Chem. B</i> 2002 , 106, 5873-5877. Published on the web 5/15/2002.					
	M	M. Steinhart et al, "Polymer Nanotubes by Wetting of Order Porous Templates", <i>Science</i> , vol 296, No. 14, June 2002, p. 1997.					
	N	Huang Y, Duan, X, Wei, Q, & C.M. Lieber, "Directed Assembly Of One-Dimensional Nanostructures Into Functional Networks" <i>Science</i> 291 (5504):630-633 (2001).					
	O	B. H Hong, et al., "Ultrathin Single-Crystalline Silver Nanowire Arrays Formed in an Ambient Solution Phase", <i>Science</i> 294 : 348-351; Published online September 6, 2001					
	P	Justin D. Holmes, Keith P. Johnston, R. Christopher Doty, and Brian A. Korgel, "Control of Thickness and Orientation of Solution-Grown Silicon Nanowires" <i>Science</i> 2000 February 25 ; 287: 1471-1473					
	O	Y. Lu, et al., "Self-Assembly of Mesoscopically Ordered Chromatic Polydiacetylene Nanocomposites", <i>Nature</i> 410 : 913-917 (2001.)					
	R	A. A. Gewirth, "Hot Topics in Electrodeposition - Scanning-Probe Microscopes in Electrodeposition", The Electrochemical Society <i>Interface</i> , Spring 1998, pp 1-4.					
	S	U.S. Patent Application Serial No. 10/419,708 to Martin R. Roscheisen et al, filed April 19, 2003 and entitled "Inter Facial Architecture for Nanostructured Optoelectronic Devices"					
	T	U.S. Patent Application Serial No. 10/719,041 to Brent J. Bollman et al, filed November 21, 2003 and entitled "Solvent Vapor Infiltration of Organic Materials into Nanostructures"					
EXAMINER				DATE CONSIDERED			

* **EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.